

<b>Form PTO-1449 Substitute</b>		<b>U.S. Department of Commerce Patent and Trademark Office</b>	<b>Application Number</b>	10/037,341
			<b>Filing Date</b>	January 4, 2002
			<b>First Named Inventor</b>	David Baltimore
		E 14P78	<b>Art Unit</b>	1636
		FEB 26 2009 PATENT & TRADEMARK OFFICE	<b>Examiner Name</b>	C. Hibbert
			<b>Attorney Docket No.</b>	75723- ZA/JPW/GJG/CS
<b>INFORMATION DISCLOSURE STATEMENT</b> (Use several sheets if necessary)				
<b>NON PATENT LITERATURE DOCUMENTS</b>				
<b>Examiner Initials*</b>	<b>Cite No.<sup>1</sup></b>	<b>Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.</b>		
	1	Advisory Action issued February 14, 2008 in Merged Reexamination Control Nos. 90/007,503 and 90/007,828;		
	2	Brief of Plaintiffs/Counterclaim Defendants-Appellees Amgen Inc., et al., filed January 28, 2009 in the concurrent litigation captioned <i>Amgen Inc., et al. v. ARIAD Pharmaceuticals, Inc., et al.</i> , U.S. Court of Appeals for the Federal Circuit, Docket No. 2009-1023; and		
	3	Reply Brief for Appellants, ARIAD Pharmaceuticals, Inc., et al., filed February 17, 2009 in the concurrent litigation captioned <i>Amgen Inc., et al. v. ARIAD Pharmaceuticals, Inc., et al.</i> , U.S. Court of Appeals for the Federal Circuit, Docket No. 2009-1023;		
<b>EXAMINER SIGNATURE</b>		<b>DATE CONSIDERED</b>		
<p>*<b>EXAMINER:</b> Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a checkmark here if English language Translation is attached.</p>				

Applicants: David Baltimore, et al.  
 Serial No.: 10/037,341  
 Filed: January 4, 2002  
**Exhibit A**